## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

JOHN O. MATSON,
Plaintiff

v. : C.A. No. 10-435-ML

TOWN OF NORTH KINGSTOWN, by and through its Treasurer, Patricia Sunderland, and GARY TEDESCHI, in his individual and official capacities as the Building Official and Zoning Enforcement Officer for the Town of North Kingstown,

Defendants

## TEMPORARY RESTRAINING ORDER BY CONSENT

This matter came on to be heard on October 22, 2010 in chambers before the Honorable Mary M. Lisi, District Court Judge, on Plaintiff's Motion for Temporary Restraining Order, and after hearing thereon, by agreement of the parties, Plaintiff has made a showing of a likelihood of success on the merits, of irreparable harm if the injunction is not granted, that the balancing of the equities favor the Plaintiff, and that the public interest would be served by granting the injunction; it is therefore hereby,

## **ORDERED**

- 1. That the Defendants Town of North Kingstown ("Town") and Gary Tedeschi their officers, agents, servants, employees, attorneys, and those in active concert or participation with them are hereby temporarily restrained and enjoined from:
  - a. Enforcing certain provisions of the Town Zoning Ordinance, specifically, Article X, entitled "Signs" ("Town Sign Ordinance"), so as to prohibit the erection and display of political signs or subject them to more stringent size or other limitations than that imposed on non-political signs.
  - b. Enforcing or attempting to enforce the Town Sign Ordinance with respect to any four(4) foot by six (6) foot or similarly-sized political signs posted by the Plaintiff within

the Town, whether relating to his candidacy or any other issue or cause and whether or not affixed, in whole or in part, to a tree or portion thereof.

- c. Applying more stringent limitations on political signs erected by the Plaintiff, than are applied by Defendants to any other political signs posted within the Town.
- 2. That this Order shall remain in full force and effect until further order of this Court.

  Entered as an Order of this Court on the day of October, 2010.

ENTER:	PER ORDER:
Down On Line	
Mary M. Lisi, District Court Judge	Clerk
ASSENTED TO AS TO FORM AND S	SUBSTANCE:
Date: October <u>77</u> , 2010	Plaintiff, John O. Matson
	By his atterneys,
	Richard A. Sinapi, Esq. (#2977)
	American Civil Liberties Union, R.I. Affiliate
	Sinapi, Formisano & Company, Ltd.
	100 Midway Place, Suite 1
	Cranston, RI 02920
	Phone: (401) 944-9690; FAX: (401) 943-9040
Date: October, 2010	Defendants, Town of North Kingstown and Gary
	Tedeschi,
	By their attorneys,
	July Roll
	James H. Reilly, Esq. (#0658)
	North Kingstown Town Solicitor
	146 Westminster St, #500
	Providence, RI 02903-2017
	Phone: (401) 272-1312
	on 1 1.

Marc DeSisto, Esq. (#2757)

**DeSisto Law Offices** 211 Angell Street Providence, RI 02906 Phone: (401) 272-4442

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Date: October <u>22</u>, 2010